

January 29, 2009 Minutes of Bigfork Land Use Advisory Committee

Committee members present: Darrel Coverdell, John Bourquin, Shelley Gonzales, Gary Ridderhoff, Paul Guerrant, Al Johnson, Sue Hanson 6 and members of the public.

Chairman Gonzales called the meeting to order at 4: 05 pm.

The Agenda was adopted as presented (m/sc Bourquin/Coverdell) – unanimous.

A motion to amend the minutes for January 5, 2009, to include correction of page 2 (jug to job), page 4 description of properties to leave AG and Pickavance commercial-unanimous. (m/sc Coverdell/Gonzales)- unanimous. Minutes were approved as amended-unanimous. (m/sc Johnson/Coverdell)- unanimous.

ADMINISTRATOR’S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/.

B. Application status: Shaggagi is not scheduled for B of A in February, Timber Bay was approved by the Commissioners, SNAF was approved by the Planning Board and has moved to the Commissioners where 30 day public notice has been started on both Growth Plan Amendment and Zone Change. Gonzales produced an email from Tidwell regarding progress on their meetings with architect, engineers and contractor. Layout should remain very similar to the rendering presented to BLUAC last fall. Craig Wagner reported the Planning Office is looking at the uses by the Stoddard property owners as possibly beyond home business. Wagner also reported the Stoddard property is listed for sale.

The applicants for Flathead Industries are reworking their application. After discussions with BJ Grieve, they are looking at different options and exploring the RA-1 zone designation, which would be in compliance with existing zoning uses adjacent to the property. The application will return to BLUAC before proceeding.

APPLICATIONS:

None

OLD BUSINESS:

A. Bigfork Neighborhood Plan:

Gonzales reported copies of the Bigfork Neighborhood Plan (BNP) Draft are available at the UPS Store, and in PDF format on the bigforksteering.org website. Copies were also mailed to all Planning Board members. Craig Wagner reported unanimous approval of the changes to the draft by the Bigfork Steering Committee (email to that affect attached to minutes).

John Bourquin moved the BNP be recommended for approval. Guerrant seconded the motion. Vote was unanimous. BLUAC members signed the signature approval page of the BNP.

PUBLIC COMMENT: None

John Bourquin expressed thanks and appreciation to everyone who had worked on the BNP, including the BSC Survey group, B J Grieve for assistance and support, Steering Committee members, Shelley and Sue.

BJ Grieve noted we were ahead of the timeline for the approval process. The BNP draft will be presented to the Planning Board on February 11, 2009, 6:00 p.m., 1035 First Avenue West, Kalispell.

Sign Violations-update:

BLUAC received copies of a letter sent to the Community Foundation for a Better Bigfork and the Daily Inter Lake from Mary Ann Garner, dated December 23, 2008. The letter (attached to minutes) raised the concern of the increase of signs, such as the Ten Commandments sign on the Pierce property, entering Bigfork and across the Flathead valley. She states, "They clutter the landscape and detract from our beautiful valley vistas." She asks that we take a look at the big picture and impressions we are creating by allowing so many signs. Purpose of the letter was to raise awareness.

Johnson: Are signs, like the Ten Commandments, legal? It was discussed that the sign regulations are not clear regarding signs that are not advertising for business or directional signs for subdivisions. Gonzales moved the letter be forwarded to the Planning office for appropriate action with a reply to BLUAC by the February 26, 2009, BLUAC meeting. Guerrant seconded the motion. Approval was unanimous.

NEW BUSINESS:

A. Review of BLUAC Bylaws:

Page 1, Membership: *The committee shall consist of 7 ~~elected~~ voting members.* Consensus-6

Page 2 Terms and Elections: *Six of the members shall be elected to the BLUAC for three year terms. The election shall be held (1) ~~at the school election held~~ on the first Tuesday after the first Monday of May of each year. Two members will be elected at each May election. ~~(2) In order to transition to elected positions, the terms of appointees due to expire in December, 2006, shall be extended to May 31, 2007; and the terms of appointees due to expire in December, 2007, shall be extended to May 31, 2008. The six BLUAC positions shall become elected positions as the terms expire.~~ Terms for elected members will begin on June 1 following each May election.* Consensus (1) 6 (2) 5-1 (Ridderhoff)

Page 2 Code of Ethics: *The holding of public office is a public trust, created by the confidence, which the electorate reposes in the integrity of public officers and appointees. BLUAC members and official appointees shall carry out his/her duties for the people of the Bigfork Zoning District.* Consensus- Leave alone 5-1 (Johnson).

Page 2 ~~No Committee Member, Appointee or Employee shall~~ **No BLUAC member or any person acting on BLUAC's behalf shall:** Consensus-5-1 (Ridderhoff)

Page 2 Conflict of Interest *A member of the Committee shall declare any conflict of interest due to financial or personal interest in ~~an agenda item~~ any matter before BLUAC and shall not enter into Committee debate nor vote.*

Page 3

3. Secretary/Treasurer:

A Secretary/Treasurer, elected annually from within the Committee, shall be responsible for maintenance of files, records and correspondence pertaining to the business and financial matters of the Committee. Annually, after elections, FCPZ shall receive an updated membership roster. In lieu of a Committee member, a volunteer from outside the Committee may perform the function. In this situation, the Secretary/Treasurer could not vote and would serve in a staff position. Minutes of each meeting shall be forwarded in a timely fashion to BLUAC, Flathead Planning & Zoning, and the public in "DRAFT" form until Minutes are approved by BLUAC at the next regular meeting.

Bourquin: The committee needs to investigate whether the Secretary/Treasurer, when not an elected member and appointed by BLUAC to serve, is covered by Flathead County in liability issues as BLUAC members are. Bylaws should protect an appointed position. Bourquin moved any changes to this section be postponed until determination of liability by the Flathead County Attorney. Gonzales seconded the motion. Vote was unanimous.

Gonzales moved to table Bylaws review until February 26, 2009. Coverdell seconded the motion. Vote was unanimous.

Gonzales moved to table the discussion of Public Meeting Access to be discussed concurrently with Bylaws. Guerrant seconded the motion. Vote was unanimous.

Chairman Gonzales reported the Department of Revenue has received an application for a Liquor License from River Street Enterprises (old Rebar). They have not applied for gambling. Applicant is Roxanne Rayhill.

Gonzales suggested BLUAC send a letter of support for HB 0118 Community Self Determination to legislators. Bourquin will provide a summary of the bill to the Secretary for inclusion in the letter. Secretary will prepare a draft letter for approval by BLUAC.

PUBLIC COMMENT:

Craig Wagner explained HB 0109, introduced by Bob Hawks of Bozeman regarding outdoor lighting restrictions and suggested members might want to send letters of support for the bill.

Meeting was adjourned at 6:10 p.m.

Sue Hanson
BLUAC Secretary

